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Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA**

AUDRA SHORT, INDIVIDUALLY, AS  
HEIR, AS ADMINISTRATOR OF THE  
ESTATE OF CHRISTOPHER CAREY  
SHORT, DECEASED, AND ON BEHALF  
OF A.S., SURVIVING MINOR CHILD OF  
CHRISTOPHER CAREY SHORT,

Plaintiff,

v.

SIERRA NEVADA CORP.; and  
EMBRAER DEFENSE & SECURITY,  
INC.,

Defendants.

Case No. 3:20-cv-00431-RJC-WGC

**PLAINTIFF'S RENEWED  
UNOPPOSED MOTION TO EXTEND  
DEADLINE TO FILE DISCOVERY  
PLAN/SCHEDULING ORDER**

Plaintiff Audra Short, through counsel, respectfully submits this Renewed Unopposed Motion to Extend the Deadline to File a Discovery Plan/Scheduling Order. Plaintiff respectfully requests that the Court enter an order extending the deadline to file the Discovery Plan/Scheduling

1 Order to April 15, 2021. [ECF No. 21]. Plaintiff has conferred with counsel for Defendant Sierra  
2 Nevada Corp. (“SNC”), who does not oppose the Court granting the requested extension.

3 The present deadline to file the Discovery Plan/Scheduling Order is January 15, 2021.  
4 [ECF No. 28]. As permitted to do so by the Court’s previous order, Plaintiff requests that the  
5 Court extend the deadline to file Discovery Plan and Scheduling Order in this matter by 90 days  
6 to April 15, 2021.

7 ***The Motion Should Be Granted***

8 This matter arises from the June 22, 2018, crash of an Embraer, S.A. A-29 Super Tucano  
9 aircraft within the 2. White Sands Missile Range (“WSMR”) in the New Mexico desert. [Doc. 1-  
10 1, ¶ 1]. The crash killed Lt. Christopher Short, Plaintiff’s husband and the father of their after-  
11 born daughter. [Id., ¶ 2]. Plaintiff filed this case in Nevada state court as a protective action to  
12 guard against Nevada’s two-year statute of limitations. [ECF No. 24, at 1]. She wishes to  
13 adjudicate this matter in Florida, where Plaintiff asserts that SNC is involved in the manufacture,  
14 distribution and sale of the Super Tucano with Florida-based Embraer Defense & Security, Inc.  
15 [ECF No. 26, at 2].

16 On July 21, 2020, SNC removed this case to this Court, asserting that there is federal  
17 question jurisdiction over this matter because the location of the crash is allegedly a federal  
18 enclave. [ECF No. 1, at ¶ 5]. Plaintiff asserts that that the location of the crash is *not* within a  
19 federal enclave and that there is no federal question jurisdiction over this case. She therefore has  
20 filed a motion to remand this case to state court, which is pending before this court. [ECF No.  
21 21].

22 Prior to filing this action, Plaintiff brought claims against Defendant SNC in Florida state  
23 court, her desired forum where she has sued all potentially liable parties. SNC has also removed  
24 that action to the Southern District of Florida on the identical bases for which it removed this  
25 action, i.e. its belief that the crash location was within a federal enclave. [ECF 26 at 3]. Plaintiff  
26 has filed a motion to remand, which is also pending before the Florida court. SNC also moved to  
27 dismiss Plaintiff’s Florida complaint on the basis that the court lacks personal jurisdiction over it.  
28

1 [Id.]. Given the pending motions in Florida, her desired forum where all potential defendants  
2 have been sued, Plaintiff has moved for a stay of this action. [ECF No. 26].

3 On September 14, 2020, the Court granted Plaintiff's motion to extend the deadline to file  
4 a discovery plan/scheduling order in this case. (ECF No. 28). The Court extended the deadline to  
5 January 15, 2021 and stated that: "If Plaintiff's motion to remand is still pending, Plaintiff is given  
6 leave to renew the motion to extend deadline to file Discovery Plan and Scheduling Order." Both  
7 the motion to remand in this Court and in the Southern District of Florida are still pending, as is  
8 Defendant SNC's motion to dismiss for lack of personal jurisdiction. Therefore, Plaintiff requests  
9 that the Court extend the deadline to file Discovery Plan and Scheduling Order in this matter by  
10 90 days to **April 15, 2021**.

11  
12 Respectfully Submitted,

13  
14 DATED this 14th day of January, 2021.

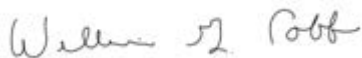
15 LAW OFFICE OF BRADLEY L. BOOKE

16  
17 /s/ Bradley L. Booke  
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28 **IT IS SO ORDERED**



**UNITED STATES MAGISTRATE JUDGE**

**Dated: January 15, 2021**

Attorneys for Plaintiff

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 14th day of January, 2021, and pursuant to FRCP 5(b), a copy of the foregoing PLAINTIFF'S UNOPPOSED MOTION TO EXTEND DEADLINE TO FILE DISCOVERY PLAN/SCHEDULING ORDER was served via the Court's electronic filing system to the parties listed below:

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